

August 26, 2019

VIA ECFS

Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: In the Matter of Request for Review of Decision of Universal Service
Administrator and Petition for Waiver by BTI Communications, Inc.**

WC Docket No. 11-42

Dear Ms. Dortch:

BTI Communications Inc., d/b/a Telzeq Communications (“Telzeq”), by its attorney, hereby files this letter in response to the August 20, 2019 letter filed by Chuck Campbell, Partner at CGM, LLC (“CGM”) in this matter.¹ CGM’s failure to perform its contracted duty to confirm Telzeq’s compliance with Lifeline rules and procedures, a circumstance beyond Telzeq’s control, is exactly why Telzeq is facing the clawback of certain Lifeline funding.

Below is an excerpt from Exhibit A (“Services to be Performed”) from the CGM, LLC Agreement:

1. Services to be Performed:
 - 1.1 CGM will perform a detailed compliance review of Customer’s lifeline processes, policies and data processing.
 - 1.2 CGM will deliver a comparison of its findings versus CGM’s recommended lifeline best practices.
 - 1.3 CGM will load Customer’s subscriber data and run it through CGM’s lifeline edits to determine fallout reasons.

The Agreement spells out the comprehensive nature of the relationship between CGM and Telzeq. Notably, CGM was paid to “perform a detailed compliance review of Customer’s lifeline processes, policies *and data processing*.”² One would expect a “detailed compliance review” to reveal the NLAD entry issues noted by the Universal Service Administrative Company (“USAC”) in this matter. Telzeq notes that CGM was authorized to work with Telzeq’s software provider to enter NLAD customer data. Accordingly, CGM had indirect

¹ See August 20, 2019 letter in WC Docket No. 11-42 filed by Chuck Campbell, Partner, CGM, LLC.

² Emphasis added.

access to the NLAD. Further, CGM agreed to “load Customer’s subscriber data and run it through CGM’s lifeline edits to determine fallout reasons.” Again, one would expect such a process to reveal any problems with Telzeq’s Lifeline procedures.

Telzeq relied upon CGM to ensure compliance with Federal Communications Commission (“FCC”) Lifeline procedures. Unfortunately, CGM never informed Telzeq of any compliance discrepancies, which is why Telzeq has no choice but to request a waiver of the FCC’s Rules and have the FCC direct USAC to review Telzeq’s updated NLAD entries and provide funding where Telzeq’s customers meet the FCC’s Lifeline eligibility criteria.

Respectfully submitted,

BTI COMMUNICATIONS INC.

By: */s/ Kenneth C. Johnson*

Kenneth C. Johnson
Counsel for BTI Communications, Inc.